

Entry No.45215

WARRANTY DEED

Cyrus Mitchell and Maggie L. Mitchell, his wife, Grantors, of Kamas, County of Summit, State of Utah, hereby convey and warrant to THE UNITED STATES OF AMERICA, acting pursuant to the provisions of the Act of June 17, 1902 (32 Stat., 388) and acts amendatory thereof or supplementary thereto, Grantee, for the sum of Eight Hundred Seventy-one Dollars (\$871.00), the following described tract of land in Summit County, State of Utah:

A tract of land in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-one (21), and the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-eight (28), Township One (1) South, Range Six (6) East, S.L.B. & M., containing 17.42 acres, more or less, and being more particularly described as follows:

Beginning at a point on the south line of said Section Twenty-one (21), from which point the southwest corner of said Section Twenty-one (21) bears North 89°45' West Five Hundred Sixty-five and Nine-tenths (565.9) Feet, and running thence North 0°26' East Fifty-nine and Five-tenths (59.5) Feet, thence North 42°35' East Two Hundred Forty and Five-tenths (240.5) Feet, thence North 26°26' East One Hundred Fifty-seven and One-tenth (157.1) Feet, thence North 10°20' East One Hundred Eleven and Three-tenths (111.3) Feet, thence North 6°58' West Two Hundred Eighty-one and Seven-tenths (281.7) Feet, thence North 24°16' West Five Hundred Nine and Five-tenths (509.5) Feet, thence North 13°30' East One Hundred One (101.0) Feet, to the north line of said southwest quarter of the southwest quarter, thence east along said north line Seven Hundred Twenty-two and Two-tenths (722.2) Feet to the east line of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), thence South along said east line Eleven Hundred Forty-six and Seven-tenths (1146.7) Feet, thence South 75°42' West Three Hundred Sixty-three (363.0) Feet, thence South 68°29' West Two Hundred Twenty-nine and Three-tenths (229.3) Feet to the south line of said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), thence North 89°45' West along said line Ninety-nine (99) Feet, thence South Fifty-four and Eight-tenths (54.8) Feet, thence South 82°33' West Ninety-two (92.0) Feet, thence North 0°26' East Fifty-eight (58.0) Feet to the point of beginning.

WITNESS the hands of said Grantors this 3rd day of December, A.D. 1929.

Cyrus Mitchell

STATE OF UTAH)
)
) SS.
COUNTY OF SUMMIT,)

Maggie L. Mitchell

On the 3rd day of December, A.D., 1929, personally appeared before me Cyrus Mitchell and Maggie L. Mitchell, his wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Moses C. Taylor, Notary Public,
Residing at Kamas, County of Summit
State of Utah.

(Seal) My Commission Expires
July 11th 1934.

Recorded at the request of U.S. Bureau of Reclamation Aug. 13th, A.D. 1930 at 2: o'clock P.M.

Viola Zumbrunnen, County
Recorder.

Entry No.45216

WHEREAS, The Park City Mining and Smelting Company, a corporation of the State of Colorado, on June 20, 1924, by warranty deed conveyed to the Union Pacific Railroad Company (hereinafter referred to as "Railroad Company") an undivided two-thirds interest in and to certain land in Summit County, State of Utah, including a parcel or strip of land in the No

Northeast Quarter of Section 2 and the Northwest Quarter of Section 1, Township 2 South, Range 4 East of the Salt Lake Base and Meridian; said deed being recorded in Book N of Warranty Deeds at Page 197, in the records of the County Recorder of Summit County, Utah; and

WHEREAS, The Silver King Coalition Mines Company, a corporation of the State of Colorado, by deed dated June 27, 1924, quit claimed to said Railroad Company an undivided one-third interest in and to the said land; said deed being recorded in Book E of Quit claim Deeds, at Page 375, in the records of the County Recorder of Summit County Utah; and

WHEREAS, said tract of land is now used and occupied by said Railroad Company as a part of the right of way of the Railroad Company's Ontario Branch; and

WHEREAS, said The Park City Mining and Smelting Company was, during the year 1925, merged with Park Utah Consolidated Mines Company, a corporation

of the State of Delaware: and

WHEREAS, said The Silver King Coalition Mines Company and said Park Utah Consolidated Mines Company (hereinafter referred to collectively as "Mines Companies") represent that there was inadvertently omitted from the warranty deed and quitclaim deed aforesaid a covenant on the part of the Railroad Company to hold the mines Companies safe and harmless from any and all damage that might hereafter accrue to the Railroad Company by reason of sand, water or tailings flowing from the Mines Companies' concentrating mills in Summit County, Utah, into, upon, across or against the Railroad Company's right of way located on that part of the land conveyed by said deeds lying in the said northeast Quarter of Section 2 and said northwest Quarter of Section 1, or the roadbed, track or tracks or other improvements of the railroad Company located thereon; and

WHEREAS, the Mines Companies have now requested the Railroad Company to afford them the indemnity aforesaid;

NOW THEREFORE, the Railroad Company, in consideration of one dollar (\$1.00) in hand paid by the Mines Companies, the receipt whereof is hereby acknowledged, and for and in consideration of the grant contained in said deeds, hereby covenants and agrees to hold the Mines Companies safe and harmless from any and all damage that may hereafter accrue, or which has heretofore accrued, to the Railroad Company, by reason of the sand, water, or tailings running from the Mines Companies' concentrating mills in Summit County, Utah, into, upon, across or against the Railroad Company's right of way located on that part of the land conveyed by said deeds lying in the said

northeast Quarter of Section 2 and said Northwest Quarter of Section 1, or the road bed, track or tracks or other improvements of the Railroad Company located thereon.

IN WITNESS WHEREOF, the Railroad Company has caused these presents to be executed this 8th day of July, 1930.

UNION PACIFIC RAILROAD COMPANY.

By C. H. Gray, President.

Witness/

H. J. Nektia

(Seal)

Attest:

Norman Pull
Secretary UP

STATE OF NEBRASKA)
COUNTY OF DOUGLAS.) :ss.

On this 14th day of July, 1930, before me, a Notary Public in and for said county in the state aforesaid, personally appeared C.R. Gray, to me personally known, and to me personally known to be the President of Union Pacific Railroad Company, and to be the same person whose name is subscribed to the foregoing instrument, and who, being by me duly sworn, did say that he is the President of Union Pacific Railroad Company; that the seal affixed to said instrument is the corporate seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors; and the said C.R. Gray acknowledged said instrument to be his free and voluntary act and deed, and the free and voluntary act and deed of said corporation, by it voluntarily executed, for the uses specified therein.

I day and year last above written. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the

T My commission expires May 9, 1936.

E
(Seal)

residing at Omaha Nebraska.

Louis Scholnick
notary Public.

ACK
C
K

Recorded at the request of Park Utah Consolidated Mines Company Aug. 13th, A.D. 1930 at 1: o'clock P.M.

Viola Lumburgen, County Recorder.